

# **EXHIBIT A**

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

COOPER NOTIFICATION, INC.,

Plaintiff,

v.

TWITTER, INC., EVERBRIDGE INC., RAVE  
WIRELESS INC., and FEDERAL SIGNAL  
CORP.,

Defendants.

C.A. No. 09-865-JJF

CONFIDENTIAL  
- FILED UNDER SEAL -

**AFFIDAVIT OF CONOR M. CIVINS**

Before me, the undersigned notary, on this day, personally appeared Conor M. Civins, a person whose identity is known to me. After I administered an oath to him, upon his oath, he said:

1. "My name is Conor M. Civins. I am over the age of twenty-one and am competent to make this affidavit. I have never been convicted of a felony or any other crime involving moral turpitude. All the matters testified to herein are within my personal knowledge and are true and correct.

2. I am an attorney licensed to practice law in the State of Texas, and am admitted to all the federal district courts in Texas. I am admitted pro hac vice in the District of Delaware. I received my law degree from the University of Texas School of Law in 2003 and have extensive experience with intellectual property litigation, including patent litigation specifically. My firm, Bracewell & Giuliani LLP, has been retained by Defendant, Everbridge Inc., to represent it in this suit.

3. Ben Bernell is also a Bracewell & Giuliani LLP attorney licensed to practice law in the State of Texas and has been admitted pro hac vice in the District of Delaware. Mr. Bernell received his law degree from the University of Houston Law Center in 2007.

4. Cody Gartman is a paralegal at Bracewell & Giuliani LLP. Mr. Gartman has received appropriate paralegal training and has experience assisting attorneys with intellectual property litigation, including patent litigation specifically.

5. The hourly rates charged in this case by the Bracewell & Giuliani employees listed in this affidavit are as follows:

REDACTED

6. I have reviewed the charges incurred in connection with the preparation for and taking of the deposition of David Lowrey. I spent REDACTED collectively preparing for, traveling for, and taking the deposition of David Lowrey. Mr. Bernell spent REDACTED helping to prepare for the deposition of David Lowrey. Mr. Gartman REDACTED helping to prepare for the deposition of David Lowrey. The time spent by me, Mr. Bernell, and Mr. Gartman were necessary to prepare for and take the deposition of Mr. Lowrey in this case. The total cost of the time spent as described in this paragraph is REDACTED

7. In addition, I have considered and reviewed the time spent preparing this Affidavit in support of our motion for sanctions against Cooper. I spent REDACTED drafting, reviewing, and revising this Affidavit, which included analyzing the necessary underlying information such as the Court's order regarding the motion for sanctions as reflected in the hearing transcript, as well as the November invoice that was sent to Everbridge by my firm. Ben Bernell spent REDACTED drafting, reviewing, and revising this Affidavit, which also included analyzing the necessary underlying information such as the November invoice that was sent to Everbridge by my firm. The total cost of the time spent as described in this paragraph is REDACTED

8. The following costs and expenses were incurred and charged to Everbridge in connection with taking the deposition of Mr. Lowrey:

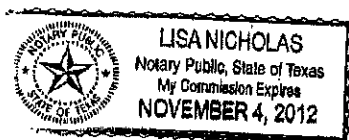
Taxis:	\$345.08
Airfare:	\$910.40
Parking:	\$40.00
Meals:	\$114.26
Internet/phone:	\$54.07
Hotel room:	\$502.71
<b>TOTAL:</b>	<b>\$1,966.52</b>

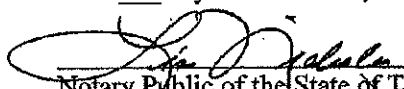
9. In total, Everbridge expended a sum of **\$12,836.52** in fees, expenses, and costs in connection with the deposition of Mr. Lowrey and the filing of the letter brief and this Affidavit in support of Defendants' Motion for Sanctions.

10. Assuming there will be no waiver of privilege, we are happy to provide the Court with copies of our time entries and/or invoices in support of our motion.

  
\_\_\_\_\_  
Conor M. Civins

SUBSCRIBED AND SWORN TO on this 22<sup>nd</sup> day of December, 2011.



  
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Notary Public of the State of Texas  
My Commission expires: November 4, 2012